



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SSS/GMM
F.#2016R02185

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 26, 2019

By Hand and ECF

Honorable Kiyo A. Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Donville Inniss
Criminal Docket No. 18-134 (S-1)(KAM)

Dear Judge Matsumoto:

Pursuant to the Court's April 3, 2019 amended criminal pretrial scheduling order ("Pretrial Order") (Dkt. No. 37), the parties must file a joint letter by today, noting any objections after the parties have met and conferred. (See Pretrial Order at ¶ 5).

The defendant has indicated that he generally does not object to the government's filing of July 15, 2019. The defendant has, however, requested that voir dire request number 10 (Exhibit D to the government's filing of July 15, 2019) add the following question: "Have you ever been accused of taking a bribe?" The government does not object to adding that question.

The defendant has also requested the additional voir dire question:

You must decide the case solely on the evidence and the law before you and must not be influenced by any personal likes or dislikes, opinions, prejudices, sympathy or biases, including unconscious bias. Racial bias may be explicit or implicit. "Explicit bias" refers to the attitudes and beliefs we have about a person or group on a conscious level. Unconscious biases are stereotypes, attitudes, or preferences that people may consciously reject but may be expressed without conscious awareness, control or intention. Like conscious bias, unconscious bias, too, can affect how we evaluate information and make decisions. The defendant and many witnesses in this case may be of a racial or ethnic group different than yours. Do you believe that the fact that the defendant and witnesses here may be of a different racial group or ethnicity than yours would affect your ability to be a fair and impartial juror?

The government does not object to the inclusion of this question in voir dire.

Respectfully submitted,

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cc: Anthony Ricco, Esq., and Steven Legon, Esq. (by ECF)